

**AGENDA**  
**CITY OF NORTH SIOUX CITY, SOUTH DAKOTA**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**NOVEMBER 4, 2013**  
**7:00 P.M. CITY HALL**

- 1. Call meeting to order at 7:00 P.M.**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Agenda**
- 5. Approval of Minutes: October 21, 2013**
- 6. Mayor: Don Fuxa**
  - A. Alcoholic Beverage Licenses (Renewals)**
  - B. Water and Sewer Rate Increases (Second Reading)**
  - C. Survey Plat**
  - D. Change Order (New Library Project)**
  - E. Community Chili Feed**
  - F. Thanksgiving Holiday**
- 7. Community and Council Input**
- 8. Executive session\***
- 9. Approval of Fines**
- 10. Approval of Bills**
- 11. Adjournment**

**\*SDCL 1-25-2 (sections 1-5) allows a majority of the body present to vote to close a meeting when discussion revolves around personnel, legal matters or contract negotiations. Meetings may also be closed for certain economic development matters (SDCL 9-34-19).**

**UNAPPROVED  
CITY OF NORTH SIOUX CITY, SOUTH DAKOTA  
REGULAR MEETING OF THE CITY COUNCIL  
NOVEMBER 4, 2013  
7:00 P.M. CITY HALL**

Meeting called to order at 7:00 p.m. by Mayor Fuxa. Roll call: Leitru, Parks, Christiansen, Meyer, Headid, Beavers, Rogers and Verdoorn were present.

Mayor Fuxa led the Pledge of Allegiance.

Motion by Parks, second by Rogers to approve the agenda as presented. Unanimous.

Motion by Headid, second by Rogers to approve the October 21, 2013, regular Council meeting minutes as presented. Unanimous.

Motion by Beavers, second by Verdoorn to approve the following applications for the renewal of Alcoholic Beverage Licenses. Unanimous.

Bet on Brown - Freeway Clark, Goode to Go, Hideaway Casino

Brown Aces – Sugar Daddy’s

Dakota Rose

Four Horsemen – Triple Crown Casino

Whistlestop Casino

Glass Slipper

Glass Palace

I-29 Lounge

McCook Lake Recreation Association – Ike’s Town Club

Miller Liquor

Beano & Sherry’s

Skyline Bar

Discount Liquor

VIP Gaming

Monaco

Zort’s Casino

Motion by Christiansen, second by Parks to approve the second reading of ordinance amendments establishing new municipal utility rates. Ayes: Leitrue, Parks, Christiansen, Meyer, Headid, Rogers and Verdoorn. Nays: Beavers. Motion passed.

**TITLE 13. AN ORDINANCE AMENDING THE WATER SERVICE SYSTEM ORDINANCE SECTIONS 13.04.200, 13.04.210, AND 13.12.040.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NORTH SIOUX CITY, SOUTH DAKOTA:**

**§ 13.04.200 of the North Sioux City Municipal Code is amended to read as follows:**

13.04.200 Rates and charges--Meters not exceeding one inch.

For all water sold or furnished by the city within the city through meters not exceeding one inch in size whether residential, business, commercial, or industrial each individual metered customer shall pay the city according to the following schedule:

Gallons Per Month effective January 2014	Charge Per Month
0-3000	\$16.00
Over 3000	\$16.00 plus \$2.80 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2015	Charge Per Month
0-3000	\$17.00
Over 3000	\$17.00 plus \$2.90 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2016	Charge Per Month
0-3000	\$18.00
Over 3000	\$18.00 plus \$3.00 per thousand gallons in excess of 3000 gallons

For consumers located outside the corporate limits of North Sioux City, South Dakota, through meters not exceeding one inch in size whether residential, business, commercial or industrial each individual metered customer shall pay the city according to the following schedule:

Gallons Per Month effective January 2014	Charge Per Month
0-3000	\$23.50

Gallons Per Month effective January 2014	Charge Per Month
Over 3000	\$23.50 plus \$4.15 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2015	Charge Per Month
0-3000	\$24.50
Over 3000	\$24.50 plus \$4.25 per thousand gallons in excess of 3000 gallons

Gallons Per Month effective January 2016	Charge Per Month
0-3000	\$25.50
Over 3000	\$25.50 plus \$4.35 per thousand gallons in excess of 3000 gallons

(Ord. 393 § 1 (part), Rule 20, 2002) (Amended November 2013)

**§ 13.04.210 of the North Sioux City Municipal Code is amended to read as follows:**

13.04.210 Rates and charges--Meter greater than one inch.

A. For all water sold or furnished by the city within the city through meters greater than one inch in size whether residential, business, commercial or industrial, each individual metered customer shall pay the city according to the following schedule:

Gallons Per Month 2014	Meter Size	Charge Per Month
0-3000	1 1/2"	\$20.00
0-3000	2"	28.50
0-3000	3"	42.00
0-3000	4"	70.50
0-3000	6"	145.50
0-3000	8"	185.50
0-3000	10"	210.50

Gallons Per Month 2014	Charge Per Month
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Gallons Per Month 2014	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$2.80 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2015	Meter Size	Charge Per Month
0-3000	1 1/2"	\$21.00
0-3000	2"	29.50
0-3000	3"	43.00
0-3000	4"	71.50
0-3000	6"	146.50
0-3000	8"	186.50
0-3000	10"	211.50

Gallons Per Month 2015	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$2.90 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2016	Meter Size	Charge Per Month
0-3000	1 1/2"	\$22.00
0-3000	2"	30.50
0-3000	3"	44.00
0-3000	4"	72.50
0-3000	6"	147.50
0-3000	8"	187.50
0-3000	10"	212.50

Gallons Per Month 2016	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$3.00 per thousand gallons in excess of 3000 gallons

For consumers located outside the corporate limits of North Sioux City, the rates shall be as follows:

Gallons Per Month 2014	Meter Size	Charge Per Month
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Gallons Per Month 2014	Meter Size	Charge Per Month
0-3000	1 1/2"	\$29.50
0-3000	2"	42.25
0-3000	3"	62.50
0-3000	4"	105.25
0-3000	6"	217.75
0-3000	8"	277.75
0-3000	10"	315.25

Gallons Per Month 2014	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$4.15 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2015	Meter Size	Charge Per Month
0-3000	1 1/2"	\$30.50
0-3000	2"	43.25
0-3000	3"	63.50
0-3000	4"	106.25
0-3000	6"	218.75
0-3000	8"	278.75
0-3000	10"	316.25

Gallons Per Month 2015	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$4.25 per thousand gallons in excess of 3000 gallons

Gallons Per Month 2016	Meter Size	Charge Per Month
0-3000	1 1/2"	31.50
0-3000	2"	44.25
0-3000	3"	64.50
0-3000	4"	107.25
0-3000	6"	219.75
0-3000	8"	279.75
0-3000	10"	317.25

Gallons Per Month 2016	Charge Per Month
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Gallons Per Month 2016	Charge Per Month
0-3000	Minimum according to meter size
Over 3000	Minimum plus \$4.35 per thousand gallons in excess of 3000 gallons

B. The above rate schedule shall be charged to and paid by all users, however, upon completing an application at City Hall, residents who are age sixty-five (65) or older shall receive a ten percent (10%) discount from the above rates. The City shall not pay for water. Further, the City will provide water to the following entities at no cost: Community Center, Senior Citizens Center, Dakota Valley School Practice Field, Dakota Valley School Sports Complex, NSC/DV Sports Complex and North Merrill Boulevard. (Ord. 393 § 1 (part), Rule 21, 2002) (Amended November 2013)

**§ 13.12.040 of the North Sioux City Municipal Code is amended to read as follows:**

**13.12.040 Class of user charges.**

The following classes of users and charges to those users are established:

**1. Class I: Residential users whose lot, parcel of real estate, or building is used for single-family dwelling purposes only.**

Twenty-four Dollars (\$24.00) per month plus Three Dollars and Forty-five cents (\$3.45) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement and debt service effective for calendar year 2014.

Twenty-five Dollars (\$25.00) per month plus Three Dollars and Fifty-five Cents (\$3.55) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement and debt service effective for calendar year 2015.

Twenty-six Dollars (\$26.00) per month plus Three Dollars and Sixty-five Cents (\$3.65) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement and debt service effective for calendar year 2016.

The rates above shall be charged to and paid by all residential users, however, upon completing an application at City Hall, residents who are age sixty-five (65) or older shall receive a ten percent (10%) discount from the above Base Rates.

**2. Class II: Light Commercial/Industrial Users: Nonresidential users which contribute between zero (0) gpd and four hundred (400) gpd of less than or equal to normal domestic strength wastewater. For clarification, Class II shall include all multi-family dwelling units.**

Twenty-nine Dollars (\$29.00) per month plus Three Dollars and Forty-five Cents (\$3.45) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement of debt service effective for calendar year 2014.

Thirty Dollars (\$30.00) per month plus Three Dollars and Fifty-five Cents (\$3.55) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement of debt service effective for calendar year 2015.

Thirty-one Dollars (\$31.00) per month plus Three Dollars and Sixty-five Cents (\$3.65) per thousand (1,000) gallons of metered waste in excess of three thousand (3,000) gallons per month for operation and maintenance, including replacement of debt service effective for calendar year 2016.

**3. Class III: Industrial Users: Nonresidential users which contribute more than four hundred (400) gpd of less than or equal to normal domestic strength wastewater, except for multi-family dwellings, which will be classified as Class II: Light Commercial/Industrial Users.**

Forty-three Dollars (\$43.00) per month plus Five Dollars and Thirteen Cents (\$5.13) per thousand (1,000) gallons based on actual metered sales or estimated flows in accordance with availability for calendar year 2014.

Forty-four Dollars (\$44.00) per month plus Five Dollars and Twenty-three Cents (\$5.23) per thousand (1,000) gallons based on actual metered sales or estimated flows in accordance with availability for calendar year 2015.

Forty-five Dollars (\$45.00) per month plus Five Dollars and Thirty-three Cents (\$5.33) per thousand (1,000) gallons based on actual metered sales or estimated flows in accordance with availability for calendar year 2016.

(Ord. 388 Art. 4, 2002: prior code § 8.0504) (Amended November 2013)

Dated this 4 day of November, 2013.

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Don Fuxa, Mayor

ATTEST:

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Donna Houck, Finance Officer

Motion by Meyer, second by Christiansen to approve the following survey plat. Unanimous.

LOTS 1, 2 AND 3 OF STOOS ADDITION, IN LOT B, JOHNSON TRACT 1, AND MERRILL TRACT 1, IN THE SE ¼ OF THE SE ¼ OF 4-89-48 AND SW ¼ OF THE SW1/4 OF 3-89-48 OF THE 5<sup>TH</sup> P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA (1.23 ACRES)

Motion by Leitru, second by Christiansen to approve a change order (+\$3832.00) for the new Library project. Unanimous. The cost is to provide and install a flagpole, and to provide the required rough-in for power to the outside of the building.

Motion by Beavers, second by Headid to hold the annual Community Chili Feed on Sunday, December 8, 2013, from 4:00 to 7:00 p.m. at the North Sioux City Community Center/Public Convention Hall. Unanimous.

Motion by Christiansen, second by Leitru to designate Friday, November 29, 2013, as a holiday for City personnel. Unanimous.

During community/council input: 1.) Christiansen noted that HRC will be discussing municipal policies pertaining to the relocation of existing homes to the Harvest Bend housing development. The item will be discussed by the Council during the November 18 regular Council meeting.

Fines in the amount of \$273.00 were approved with a motion from Parks and a second by Beavers. Unanimous.

Motion by Headid, second by Beavers for the approval of bills. Unanimous.



ONEILL, JOHN	\$34.80	CUSTOMER UTILITY DEPOSIT REFUND
ROSS, AMBER	\$14.53	CUSTOMER UTILITY DEPOSIT REFUND
RUST, STEVEN	\$28.97	CUSTOMER UTILITY DEPOSIT REFUND
WOOD, LORI & BRIAN	\$28.03	CUSTOMER UTILITY DEPOSIT REFUND
PRINCIPAL LIFE INSUR CO	\$1,916.15	NOV 13 LIFE/DTL PREMIUMS
AMERICAN LEGAL SERVICES	\$36.20	PD COVERAGE
BANYON DATA SYSTEMS, INC	\$795.00	11/2013-10/2014 UTILITY BILLING TECH SUPPORT
BARNES & NOBLE INC	\$775.01	BOOKS
BMSI CREDIT SERVICES	\$83.66	DEBT COLLECTION CHARGES
BOMGAARS	\$797.59	CH-WATER SOFTENER SALT
CITY OF SIOUX FALLS	\$145.00	JUL-SEP 2013 BACTERIA WATER TESTS
CLAIMS ASSOCIATES, INC.	\$250.00	DEDUCTABLE-CLAIM #GC13.73485
DAY'S DOOR COMPANY	\$80.00	REMOTE (2)
ELECTRIC INNOVATIONS	\$1,000.00	NOV 2013 TECH SUPPORT
FERGUSON WATERWORKS #2516	\$2,986.01	WATER METERS (4), METER KIT (4), COUPLING (50)
FOUR SEASONS NORTH	\$124.75	FITNESS CTR MEMBERSHIPS
GALE/CENGAGE LEARNING	\$131.58	BOOKS
GREATER DAKOTA VALLEY JAYCEES	\$1,000.00	2013 HOLIDAY GIFTS FOR KIDS SPONSORSHIP
HD SUPPLY WATERWORKS, LTD	\$790.99	SHUT OFF KEY (3), MANHOLE LID LIFT HOOK (2), CURB BOX
JACK'S UNIFORMS & EQUIPMENT	\$119.75	CLOTHING ALLOWANCE
JANITOR DEPOT, INC.	\$330.90	JANITORIAL SUPPLIES
JENSEN SPRINKLER	\$316.20	WINTERIZE SPRINKLERS
K & P SERVICES, INC	\$441.05	OCT 2013 TOILET RENTALS
KEVIN O'DELL ELECTRIC, INC.	\$2,971.97	POLICE STATION, RIVER DR, MERRILL
KNOEPFLER CHEVROLET CO	\$2,110.71	2007 UPLANDER-REPLACE WATER PUMP, 2008 IMPALA-CV
LEITRU, SHARI	\$214.97	SDML REIMBURSEMENT-MILEAGE
MB CLEANING	\$700.00	OCT 2013 CLEANING
MIDAMERICAN ENERGY	\$10,927.73	OCT 2013 UTILITY CHARGES
MIDWEST WHEEL	\$215.65	SNOW PLOW-HEAD LIGHT KIT
NATE'S FINE SHINE	\$315.00	OCT 2013 PD CLEANING
NSC ECONOMIC DEVELOPMENT CORP	\$48,019.00	PROPERTY PURCHASE-RIVER DRIVE
OVERDRIVE, INC.	\$258.81	eBOOKS
QUALIFIED PRESORT SVC, LLC	\$411.21	OCT 13 PRT/POSTAGE UTILITY BILLING
QUAM & BERGLIN P.C.	\$17,400.00	AUDIT 2012 YEAR
SD LIBRARY NETWORK	\$675.00	JUL 2013-JUN 2014 REMOTE MEMBERSHIP
SD MUNICIPAL LEAGUE	\$25.00	2013 SDML ELECTION WORKSHOP
SD DEPT OF REVENUE	\$639.00	09/13-10/15 SOLIDS,FECAL,BOD TESTS
THE BOULDER COMPANY	\$29.50	WATER PLANT - SUPPLIES
TITAN MACHINERY	\$5,121.52	PAYLOADER-REPLACE RADIATOR
TOWN & COUNTRY LAWN SERVICE, I	\$725.75	OCT 2013 PARKS,MERRILL, CITY HALL, POLICE DEPT
VERIZON WIRELESS	\$677.96	OCT 13 CELL PHONE CHARGES
WESTERN OFFICE TECHNOLOGIES	\$212.30	OFFICE SUPPLIES

As required by SDCL 6-1-10, the following is a list of the October 2013 payroll by department:

Council/Mayor	26,475.00
Finance	18,681.66
Library	6,892.24
Police	40,086.96
Public Works	31,056.92

Adjournment was at 7:11 p.m., motion by Meyer and second by Christiansen. Unanimous.

## CITY OF NORTH SIOUX CITY

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**Don Fuxa, Mayor**

**ATTEST:**

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**Donna Houck, Finance Officer**

**ATTEST:**

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**Kory Menken, Human Resources Director**